

**IN THE UNITED STATE PATENT AND TRADEMARK OFFICE** **RECEIVED**  
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In re. Application of: **PACIONE, Joseph Rocco**  
Serial No.: **10/004,834**  
Filed: **December 7, 2001**  
Title: **ANCHOR SHEET AND ATTACHMENT DEVICES**  
Examiner: **CHAPMAN, Jeanette E.**  
Art Unit: **3635**  
Confirmation Number: **7778**  
Notice of Allowance Date: **May 31, 2005**  
Atty's Docket No.: **194133-340241 (T1222-15-US)**

United States Patent and Trademark Office  
Customer Service Window, Mail Stop ISSUE FEE  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
U.S.A.

Dear Commissioner:

This is further to our correspondence of August 31, 2005.

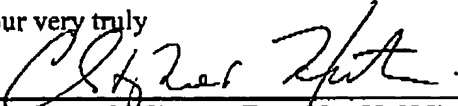
We note from the attached Bibliographic Data Sheet published on the Patent Application Information Retrieval system on April 13, 2006, that the continuing data information for this above-named application is incorrect. A request to correct this information was made in the amendment submitted on January 19, 2004. A copy of the Amendment is enclosed.

It is further noted that the correspondence address for the subject application is also incorrect. Correspondence regarding the subject application should be sent to McCarthy Tétrault LLP (Customer No. 27,155). Agent for the Applicant has made several requests in this regard. A copy of our original request of March 1, 2004 is enclosed.

The Office is respectfully requested to correct their records concerning the continuing data and the correspondence address for the subject application prior to issuance.

Should any Patent Office official wish to contact us with respect to the above, the telephone call should be directed to Christopher N. Hunter at (416) 601-7875.

Your very truly

  
\_\_\_\_\_  
Christopher N. Hunter (Reg. No. 52,528)  
**McCarthy Tétrault LLP**  
Box 48, Suite 4700  
Toronto Dominion Bank Tower  
Toronto ON M5K 1E6  
Canada  
Telephone: 416-601-7875 -- Facsimile: 416-868-0673

June 21, 2006  
Date

TDO-RED #8325225 v. 1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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## \*BIBDATASHEET\*

CONFIRMATION NO. 7778

Bib Data Sheet

SERIAL NUMBER 10/004,834	FILING DATE 12/07/2001  RULE	CLASS 052	GROUP ART UNIT 3635	ATTORNEY DOCKET NO. 52498/42
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## APPLICANTS

Joseph Rocco Pacione, Newmarket, ON, CANADA;

## \*\* CONTINUING DATA \*\*\*\*\*

This application is a CIP of PCT/CA00/00681 06/07/2000  
which is a CIP of 09/326,634 06/07/1999 ABN

## \*\* FOREIGN APPLICATIONS \*\*\*\*\*

IF REQUIRED, FOREIGN FILING LICENSE GRANTED

\*\* 01/04/2002

Foreign Priority claimed 35 USC 119 (a-d) conditions met Verified and Acknowledged	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance Examiner's Signature _____ Initials _____	STATE OR COUNTRY ON	SHEETS DRAWING 5	TOTAL CLAIMS 48	INDEPENDENT CLAIMS 11
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## ADDRESS

AIR MAIL

27871  
BLAKE, CASSELS & GRAYDON LLP  
BOX 25, COMMERCE COURT WEST  
199 BAY STREET, SUITE 2800  
TORONTO, ON  
M5L 1A9  
CANADA

## TITLE

ANCHOR SHEET AND ATTACHMENT DEVICES

FILING FEE  RECEIVED 2346	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit
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04-11-2006

**Appl. No. 10/004,834**

Arndt dated January 19, 2004.

**Reply to Office action of August 18, 2003**

**REMARKS/ARGUMENTS**

### 1) Summary of Prosecution

Claims 29 to 76 are pending in the application. Claims 29-46, 48-59, and 65-75 have been provisionally withdrawn. Claims 47 and 76 are allowed; claims 60 and 62-64 are rejected; and claim 61 is objected to. New claim 77 has been added.

## 2) Amendments to the Specification

In the specification, the first paragraph of page 1 is amended to indicate that the present application is a continuation of Patent Co-operation Treaty application number PCT/CA 00/00681 (the "'681 application"). Both the present application and the '681 application have the same disclosure, and no new matter has been added to the present application.

Please update the Patent Office records to indicate that the present application is a continuation application and not a continuation-in-part application.

**3) Obviousness - 35 USC 103 - (Claims 60, 62 and 64)**

**The Examiner rejected claims 60, 62, and 64 based on 35 USC 103.**

As shown in the enclosed claim set, claim 60 is rewritten to incorporate the limitations of claim 61, as suggested by the Examiner. Claim 61 is hereby cancelled. Since independent claim 60 is now in allowable form, all claims dependent thereon, namely claims 62-64, are also allowable.

**4) New Claim 77**

In the claims, new independent claim 77 is inserted to provide the applicant with a scope of protection commensurate with the disclosure. New claim 77 is essentially a combination of claims 60 and 61 without the resilient layer. It is respectfully submitted that the resilient layer is not essential for patentability for this claim.

AMEND-  
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JAN 19/02

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PAGE 12/22 \* RCVD AT 1/19/2004 10:16:01 PM [Eastern Standard Time] \* SVR:USPTO-EFXXF-1/0 \* DNIS:2738300 \* CSID:4168680673 \* DURATION (mm-ss):01-54

Appl. No. 10/004,834

Amtd. dated January 19, 2004

Reply to Office action of August 18, 2003

5) Closing Remarks

In view of the above, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,  
BLAKE, CASSELS & GRAYDON LLP

By Brian W. Gray  
Brian W. Gray (Reg. No. 30,017)  
Tel.: (416) 863-3256

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Appl. No. 10/004,834  
Amdt. Date: January 19, 2004  
Reply to Office Action of: August 18, 2003

**REMARKS****AGENT OF RECORD**

For the captioned application, the undersigned attorney is an agent of record but has relocated his practice to the firm of:

McCarthy Tétrault LLP  
Customer Service #: 27155  
Toronto Dominion Bank Tower  
P. O. Box 48, Suite 4700  
Toronto, Ontario  
M5K 1E6 Canada

Undersigned Attorney advises that in total the following additional agents of record are also now associated with the same customer number:

Alfred Macchione	Reg. No. 40,333
Robert Nakano	Reg. No. 46,498
Kenneth Bousfield	Reg. No. 40,460
Christopher Hunter	Reg. No. 52,528

Undersigned Attorney also advises that the attorney reference number has been changed to

Atty's Docket No.: T01215-0004-US

Applicant requests that the USPTO update its records for this application accordingly.

**AMEND-  
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FILED  
MAR. 1 / 06**

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Appl. No. 10/004,834  
Amdt. Dated: January 19, 2004  
Reply to Office Action of: August 18, 2003

#### COMMENTS

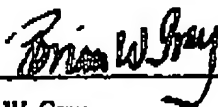
In the Notice of Non-Compliant Amendment the Examiner indicated that a complete listing of claims is not present in the response to the Office action of August 18, 2003. The Notice indicates that "Only the corrected version of the non-compliant amendment document must be re-submitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted."

Accordingly, agent for the Applicant re-submits only the amendments to the claims section of its January 19, 2004 correspondence. Amended pages 3 to 13 of the January 19, 2004 correspondence (now re-numbered 2 to 12) are now re-submitted. Original page 3 (now page 2) has been amended to indicate that claims 1 to 28 have been cancelled (pursuant to December 6, 2001 correspondence to the USPTO by agent for the Applicant).

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Amdt. Dated: January 19, 2004  
Reply to Office Action of: August 18, 2003

If anything further is required, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,



Brian W. Gray  
Agent for Applicant  
Registration No. 30,017  
Tel: (416) 601-7532

Christopher N. Hunter  
Agent for Applicant  
Registration No. 52,528  
Tel: (416) 601-7875

Date: March 1, 2004

McCarthy Téranth LLP  
P.O. Box 48, Suite 4700, Toronto Dominion Bank Tower  
66 Wellington St. West  
Toronto, Ontario M5K 1E6, Canada

BWG/ks

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